

Notice of Allowability

Application No.

10/735,786

Applicant(s)

MCLEAN ET AL. 

Examiner

Art Unit

Frantz F. Jules

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09032004.
2. ☒ The allowed claim(s) is/are 1-9 and 11-20.
3. ☒ The drawings filed on 16 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASON FOR ALLOWANCE

1. Okamoto et al disclose a wheel cover assembly for fitting to the exterior of a vehicle hub which is mounted on a vehicle axle comprising a wheel cover disk, a hub arm which is removably attachable in an axial direction to the interior face of the wheel cover disk; a weight which is connected to the base of the hub arm; a base plate which has stud receiving holes formed therein for removable connection to the vehicle hub, the base plate being rotatably connected to the hub arm. At least one guide member located on the inside face of the wheel cover disk, the member cooperating with a corresponding guide member formed in the hub arm in a manner which ensures that the cover disk is fitted to the hub arm in only one position. Williams discloses an assembly with a non-rotatable wheel cover disc comprising a base plate for attaching to the wheel, a non-rotatable disc mount coupled to the base plate, a disc cover or an image holding assembly secured to the non-rotatable disc mount. Threadgill discloses a wheel cover shield apparatus for masking a wheel or a wheel cover during application of a spray. Parks discloses a stationary wheel element comprising a member secured to a spindle, a directional arrow on the wheel cover disc. However, none of the references of record suggests a wheel cover assembly for fitting to the exterior of a vehicle hub comprising a hub arm, wherein the hub arm has reinforcing ribs thereon in the manner defined in the instant claim 1 and in combination with other limitations of the claim. Also, none of the references of record suggests a wheel cover comprising a base plate, wherein the base plate being a circular ring with stud receiving holes therein and the base connection having three legs for affixing the base connection to the base plate in

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the manner defined in the instant claim 19 and in combination with other limitations of the claim. Moreover, none of the references of record suggests a wheel cover comprising a wheel cover disk, wherein the interior face of the wheel cover disk includes at least two guide members which are protrusions which fit into corresponding guide member receptacles in the hub arm, whereby the guide protrusions being disposed in an asymmetrical pattern so that the cover disk can be affixed to the hub arm in only one direction in the manner defined in the instant claim 20 and in combination with other limitations of the claims. Therefore, claims 2-9, 11-18, depending therefrom, are considered to be allowable.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 308-8780. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules
Primary Examiner
Art Unit 3617

FFJ

October 14, 2004

FRANTZ F. JULES
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Frantz', with a stylized flourish at the end.